

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

P.S. – Smt. M. Nagavally, Sr. Lecturer, DIET, Nizamabad – Departmental Proceedings initiated under Rule 20 of A.P.C.S. (CCA) Rules – Enquiry conducted – Charges proved – Attained the age of superannuation - Action under Rule 9 of A.P.R.P. Rules, 1980 – Show cause notice issued – Published in daily newspapers – Explanation not received – Penalty of withholding Pension and Gratuity in full permanently imposed – Absence period from 24.12.1999 to 31.3.2009 treated as ‘Dies-Non’ – Orders – Issued.

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EDUCATION [SE-Vig.I(2)] DEPARTMENT

G.O.Rt.No. 636

Dated: 02.11.2012

Read the following:-

- 1) From the DSE, Hyderabad, Lr.Rc.No.257/C2-2/2006, dated 09.12.2006.
- 2) Govt. Memo.No.21205/Vig.I(2)/2006-1, dated 09.5.2007.
- 3) From the C&DSE, Hyderabad, Lr.Rc.No.257/C2-1/97, dated 14.9.2009.
- 4) From the C&DSE, Hyderabad, Lr.Rc.No.257/C2-1/97, dated 19.4.2010.
- 5) Govt. Memo.No.21205/SE-Vig.I(2)/2006-4, dated 27.11.2010.
- 6) From the C&DSE., Hyderabad, Lr. Rc.No.257/C2-2/97, dated 04.5.2012.

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ORDER:

It has been brought to the notice of the Government by the Commissioner & Director of School Education, A.P., Hyderabad that, disciplinary action under Rule 20 of APCS (CCA) Rules, 1991 has been initiated against Smt. M.Nagavally, Senior Lecturer, DIET, Nizamabad on the allegations of absconding from duties, vide Proceedings Rc.No.257/C3-2/1997, dated 02.2.2001 of the D.S.E., Hyderabad, and the following charges have been framed against her and published in daily news paper since whereabouts of the Accused Officer was not known:-

Article:-

“Smt M. Nagavally, Senior Lecturer, DIET Nizamabad is absconding from duty from 3.1.2000 onwards till today while functioning as S.L. at DIET Nizamabad. Earlier also she was absconding from duty from 19.12.1994 to 13.12.1999 while she was functioning as S.L. at DIET Medak without any intimation about her whereabouts and without prior sanction of leave from the competent authority”.

2. After considering Written Statement of Defence of the Charged Official, an enquiry was initiated by the Commissioner & Director of School Education, A.P., Hyderabad. The Enquiry Officer hold that the charge is proved.

3. The Commissioner & Director of School Education, A.P., Hyderabad has further reported that “whereabouts of the Accused Officer not known from the 24.12.1999 to till date. Hence, the question of communicating the E.O.’s report does not arise, and forwarded the material to Government for imposition of punishment, since the Government is the competent authority to take action as per Rule 9 of A.P.R.P. Rules, 1980, as the Accused Officer has retired (while she was in absconding from service) from service on attaining the age of superannuation on 31.3.2009.

4. Government, after careful examination of the matter, provisionally decided to impose the penalty of withholding Pension and Gratuity in full permanently on Smt. M. Nagavally, the then Senior Lecturer, DIET, Nizamabad (attained the age of superannuation on 31.3.2009 while she was in absconding from duties) as the charge of absconding from her duties w.e.f. 24.12.1999 till her retirement is held proved in the enquiry and also to treat the absence period from 24.12.1999 to 31.3.2009 as “Dies-Non”. Accordingly, a show cause notice has been issued in the reference 5<sup>th</sup> read above, directing Smt. M. Nagavally, the then Senior Lecturer, DIET, Nizamabad to explain why the Government should not impose the said penalty against her.

P.T.O.

5. The Commissioner & Director of School Education, A.P., Hyderabad in his letter 6<sup>th</sup> read above reported that the Show Cause Notice was published in the (2) daily news papers on 03.02.2011 viz., Vaartha in Nizamabad and the Hindu in Hyderabad, since the whereabouts of Smt. M. Nagavally, the then Senior Lecturer, DIET Nizamabad are not known to their office from 24.12.1999 to till date; but, no explanation was received from Smt. M. Nagavally, the then Senior Lecturer, DIET Nizamabad who attained the age of superannuation on 31.3.2009 while she was absconding from duties, and therefore requested the Government to take necessary action in the matter.

6. Therefore, after careful examination of the issue, construed that Smt. M. Nagavally, the then Senior Lecturer, DIET Nizamabad who attained the age of superannuation on 31.3.2009, has no explanation to offer and therefore decided to impose the penalty proposed in the Show cause notice issued.

7. Accordingly, Government hereby impose the penalty of withholding Pension and Gratuity in full permanently against Smt. M. Nagavally, the then Senior Lecturer, DIET, Nizamabad (attained the age of superannuation on 31.3.2009 while she was in absconding from duties), under 9 of A.P. Revised Pension Rules, 1980, as the charge of absconding from her duties w.e.f. 24.12.1999 till her retirement is held proved in the enquiry, in the matter.

8. The absence period of Smt. M. Nagavally, the then Senior Lecturer, DIET, Nizamabad from 24.12.1999 to 31.3.2009, is treated as “Dies-Non”.

9. The Commissioner & Director of School Education, A.P., Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI  
PRL. SECRETARY TO GOVERNMENT (SE)

To

The individual through Commissioner & Director of School Education, A.P., Hyderabad.

The Commissioner & Director of School Education, A.P., Hyderabad.

Copy to SF/SCs.

//forwarded by order///

SECTION OFFICER